| 1 | , | THE HONORABLE MARSHA J. PECHMAN | |
|----|---|---|--|
| 2 | | | |
| 3 | | | |
| 4 | | | |
| 5 | | | |
| 6 | IIS DISTRI | T COUPT | |
| 7 | U.S. DISTRICT COURT WESTERN DISTRICT OF WASHINGTON | | |
| 8 | LINNE ROSE, individually and on behalf of all | | |
| 9 | others similarly situated, Plaintiffs, | NO. 2:17-cv-01754-MJP | |
| 10 | VS. | STIPULATION AND ORDER OF VOLUNTARY DISMISSAL | |
| 11 | BEHR PROCESS CORP., BEHR PAINT | WITHOUT PREJUDICE | |
| 12 | CORP., MASCO CORP., THE HOME DEPOT, INC., and HOME DEPOT U.S.A., | | |
| 13 | INC., | | |
| 14 | Defendants. | | |
| 15 | | _ | |
| 16 | I. STIPULATION | | |
| 17 | Plaintiff Linne Rose ("Plaintiff"),S and Defendants Masco Corporation, Behr Process | | |
| 18 | Corporation, Behr Paint Corp., The Home Depot, Inc., and Home Depot U.S.A., Inc. | | |
| 19 | ("Defendants"), pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii) of the Federal Rules of Civil | | |
| 20 | Procedure, hereby stipulate to the voluntary dismissal without prejudice of each of Plaintiff's | | |
| 21 | claims against Defendants in this action. | | |
| 22 | | | |
| 23 | | | |
| 24 | | | |
| 25 | | | |
| 26 | | | |
| 27 | | | |
| | STIPULATION AND ORDER OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE - 1 Case No. 2:17-cv-01754-MJP | | |

| 1 | STIPULATED TO, DATED AND RESI | PECTFULLY SUBMITTED this 7th day of |
|----|--|--|
| 2 | March, 2019. | |
| 3 | TERRELL MARSHALL LAW | MILLS MEYERS SWARTLING |
| 4 | GROUP PLLC | |
| 5 | By: /s/ Beth E. Terrell, WSBA #26759 | By: /s/ Caryn Geraghty Jorgensen, #27514 |
| 6 | Beth E. Terrell, WSBA #26759 Email: bterrell@terrellmarshall.com | Caryn Geraghty Jorgensen, WSBA #27514 Email: cjorgensen@millsmeyers.com |
| 7 | Eric R. Nusser, WSBA #51513 Email: eric@terrellmarshall.com | John T. Fetters, WSBA #40800 Email: jfetters@millsmeyers.com |
| 8 | 936 North 34th Street, Suite 300 | 1000 Second Avenue, Suite 3000 |
| 9 | Seattle, Washington 98103-8869 Telephone: (206) 816-6603 | Seattle, Washington 98104-3028 Telephone: (206) 382-1000 |
| 10 | Facsimile: (206) 319-5450 | Facsimile: (206) 386-7343 |
| 11 | Daniel K. Bryson, Admitted Pro Hac Vice | Robert Alpert, Admitted Pro Hac Vice |
| 12 | Email: dan@wbmllp.com Scott C. Harris, Admitted Pro Hac Vice | Email: ralpert@mmmlaw.com Jeffrey Douglass, Admitted Pro Hac Vice |
| 13 | Email: scott@wbmllp.com | Email: jkd@mmmlaw.com |
| | Patrick M. Wallace, Admitted Pro Hac Vice | MORRIS MANNING & MARTIN LLP 3343 Peachtree Road |
| 14 | Email: pat@wbmllp.com | 1600 Atlanta Financial Center |
| 15 | WHITFIELD BRYSON & MASON, LLP 900 West Morgan Street | Atlanta, Georgia 30326 Telephone: (404) 504-7793 |
| 16 | Raleigh, North Carolina 27603 | Attorn one for Defendants The House Depot |
| 17 | Telephone: (919) 600-5000 Facsimile: (919) 600-5002 | Attorneys for Defendants The Home Depot, Inc., and Home Depot U.S.A., Inc. |
| 18 | Attorneys for Plaintiff | |
| 19 | LATHAM & WATKINS, LLP | |
| 20 | | |
| 21 | By: /s/ Kathleen P. Lally, <i>Pro Hac Vice</i> | |
| 22 | Kathleen P. Lally, <i>Admitted Pro Hac Vice</i> Email: Kathleen.lally@lw.com | |
| 23 | 330 North Wabash Avenue, Suite 2800 | |
| 24 | Chicago, Illinois 60611 Telephone: (312) 777-7005 | |
| 25 | | |
| 26 | | |
| 27 | | |
| | | |

STIPULATION AND ORDER OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE - 2 Case No. 2:17-cv-01754-MJP

| 1 | Jason M. Kettrick, WSBA #35459 |
|----------|---|
| 2 | Email: kettrick@carneylaw.com Elliot C. Copenhaver, WSBA #46909 |
| 3 | Email: copenhaver@carneylaw.com Emilia L. Sweeney, WSBA #23371 |
| 4 | Email: sweeney@carneylaw.com CARNEY BADLEY SPELLMAN, P.S. |
| 5 | 701 Fifth Avenue, Suite 3600 |
| 6 | Seattle, Washington 98104 Telephone: (206) 622-8020 |
| 7 | Facsimile: (206) 467-8215 |
| 8 | Attorneys for Defendants Masco Corporation, Behr Process Corporation and |
| 9 | Behr Paint Corp. |
| 10 | II. ORDER |
| 11 | IT IS SO ORDERED. |
| 12 | Dated this7th day ofMarch, 2019. |
| 13 | |
| 14 | |
| 15 | γ_{\bullet} , M |
| 16 | Maisluf Melens |
| 17 | Marsha J. Pechman United States Senior District Judge |
| 18 | |
| 19 20 | |
| 20 | |
| 22 | |
| 23 | |
| 24 | |
| 25 | |
| 26 | |
| 27 | |

| 1 | CERTIFICATE OF SERVICE | |
|----------|---|--|
| 2 | I, Beth E. Terrell, hereby certify that on March 7, 2019, I electronically filed the | |
| 3 | foregoing with the Clerk of the Court using the CM/ECF system which will send notification of | |
| 4 | such filing to the following: | |
| 5 | Caryn Geraghty Jorgensen, WSBA #27514 | |
| 6 | Email: cjorgensen@millsmeyers.com John T. Fetters, WSBA #40800 | |
| 7 | Email: jfetters@millsmeyers.com MILLS MEYERS SWARTLING | |
| 8 | 1000 Second Avenue, Suite 3000 Seattle, Washington 98104-3028 | |
| 10 | Telephone: (206) 382-1000 Facsimile: (206) 386-7343 | |
| 11 | Robert Alpert, Admitted Pro Hac Vice | |
| 12 | Email: ralpert@mmmlaw.com Jeffrey Douglass, <i>Admitted Pro Hac Vice</i> | |
| 13 | Email: jkd@mmmlaw.com MORRIS MANNING & MARTIN LLP | |
| 14 | 3343 Peachtree Road 1600 Atlanta Financial Center | |
| 15 16 | Atlanta, Georgia 30326 Telephone: (404) 504-7793 | |
| 17 | Attorneys for Defendants The Home Depot, Inc., and Home Depot U.S.A., Inc. | |
| 18 | Jason M. Kettrick, WSBA #35459 | |
| 19 | Email: kettrick@carneylaw.com Elliot C. Copenhaver, WSBA #46909 | |
| 20 | Email: copenhaver@carneylaw.com Emilia L. Sweeney, WSBA #23371 | |
| 21 | Email: sweeney@carneylaw.com CARNEY BADLEY SPELLMAN, P.S. | |
| 22 | 701 Fifth Avenue, Suite 3600 | |
| 23 | Seattle, Washington 98104 Telephone: (206) 622-8020 | |
| 24 | Facsimile: (206) 467-8215 | |
| 25 | | |
| 26 | | |
| 27 | | |

| 1 | Kathleen P. Lally, Admitted Pro Hac Vice |
|----|---|
| 2 | Email: Kathleen.lally@lw.com LATHAM & WATKINS, LLP |
| 3 | 330 North Wabash Avenue, Suite 2800 Chicago, Illinois 60611 |
| 4 | Telephone: (312) 777-7005 |
| 5 | Attorneys for Defendants Masco Corporation, Behr Process Corporation and Behr Paint Corp. |
| 6 | |
| 7 | DATED this 7th day of March, 2019. |
| 8 | TERRELL MARSHALL LAW GROUP PLLC |
| 9 | By: /s/ Beth E. Terrell, WSBA #26759 |
| 10 | Beth E. Terrell, WSBA #26759 Email: bterrell@terrellmarshall.com |
| 11 | 936 North 34th Street, Suite 300 |
| 12 | Seattle, Washington 98103 Telephone: (206) 816-6603 |
| 13 | Facsimile: (206) 319-5450 |
| 14 | Attorneys for Plaintiff |
| 15 | |
| 16 | |
| 17 | |
| 18 | |
| 19 | |
| 20 | |
| 21 | |
| 22 | |
| 23 | |
| 24 | |
| 25 | |
| 26 | |
| 27 | |
| 21 | |